

Serial No. 10/664,080 10

REMARKS

Claims 1-26 are all of the claims presently pending in the application. Applicant has amended independent claims 1, 11, and 20 to define the claimed invention more particularly.

Applicant believes that entry of the claim amendments is proper as the claim amendments do not raise new issues, which would require further consideration and/or search.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-4, 6, 7, 11, 14-16, 20, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephan (U.S. Patent No. 5,748,185) in view of Debrus et al. (U.S. Patent No. 5,598,527; hereinafter "Debrus") and further in view of Rowe (U.S. Patent No. 6,559,833). Claims 5 and 8-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephan in view of Debrus, and Rowe, and further in view of Vanderheiden (U.S. Patent No. 6,049,328). Claims 12, 13, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephan in view of Debrus and Rowe, and further in view of Vanderheiden (U.S. Patent No. 6,384,743; hereinafter "Vanderheiden 2"). Claims 17-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephan in view of Debrus and Rowe, and further in view of Serravalle, Jr. (U.S. Patent No. 4,631,525). Claims 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephan in view of Debrus and Rowe, and further in view of Takahashi (U.S. Patent No. 4,954,967).

Applicant respectfully traverses these rejections in the following discussion.

Serial No. 10/664,080 11

I. THE CLAIMED INVENTION

The claimed invention (as exemplarily defined in claim 1 and similarly defined in claim 20) is directed to electronic equipment.

The electronic equipment includes a display device configured to display information and including a display surface, a touch sensor arranged on at least a part of the display surface, a guide portion configured to protrude from a surface of the touch sensor and to fringe the surface with a line configured by one of a plurality of concave portions and a plurality of convex portions as a whole, including a fixed reference position, provided for each of the one of the plurality of concave portions and plurality of convex portions, on a surface of the touch sensor graphically identified on the display surface and located between a vertex and a center of one of the plurality of concave portions and the plurality of convex portions, and a controller configured to control each of a plurality of adjustment values in accordance with a direction of a slide operation along a corresponding concave portion or convex portion of the guide portion from a corresponding fixed reference position. The plurality of adjustment values is controlled after the corresponding fixed reference position is depressed by a touch operation.

Claim 11 defines similar subject matter in a method claim.

Conventionally, in tactile display input devices, a problem exists that a reference position of an operation for specifying a reference value for increasing or decreasing that amount of an adjustment value controlled by depression of the touch sensor from a present value cannot be identified. A direction in which the touch switch part is traced can be detected, but the amount of change in increase or decrease from the reference value cannot be set, nor can the amount of change in increase or decrease from the reference value could be set.

Serial No. 10/664,080 12

The claimed invention, on the other hand, provides a guide portion configured to protrude from a surface of the touch sensor and to fringe the surface with a line configured by one of a plurality of concave portions and a plurality of convex portions as a whole, including a fixed reference position and a controller configured to control each of a plurality of adjustment values in accordance with a direction of a slide operation along a corresponding concave portion or convex portion of the guide portion from a corresponding fixed reference position. Accordingly, the claimed invention is capable of setting the amount of change in increase or decrease from a reference value with respect to an adjustment value controlled by depression of a touch sensor on the display surface (e.g., see Application at page 3, lines 11-15).

II. THE PRIOR ART REJECTIONS

A. The Alleged Combination of Stephan, Debrus, and Rowe

The Examiner alleges that one of ordinary skill in the art would have combined Stephan with Debrus and Rowe to teach the claimed invention of claims 1-4, 6, 7, 11, 14-16, 20, and 25. Applicant submits, however, that, even if combined, the alleged combination of references does not teach or suggest each and every feature of the claimed invention.

That is, the alleged combination of references does not teach or suggest, *"a guide portion configured to protrude from a surface of the touch sensor and to fringe the surface with a line configured by one of a plurality of concave portions and a plurality of convex portions as a whole, including a fixed reference position, provided for each of the one of the plurality of concave portions and plurality of convex portions, on a surface of the touch sensor graphically identified on said display surface and located between a vertex and a center of one of the plurality of concave portions and the plurality of convex portions"* (emphasis added

Serial No. 10/664,080 13

by Applicant), as recited in exemplary claim 1 and somewhat similarly recited in exemplary claims 11 and 20.

Stephan merely discloses adjusting an adjustment value by a slide operation and fails to disclose the claimed guide portion as conceded by the Examiner (see Office Action dated January 5, 2010 at page 4).

Debrus merely discloses adjusting an adjustment value by a slide operation wholly along switching segments 21 to 31 each having a U-shape (see Figure 1). Therefore, whole switching segments 21 to 31 are used for adjusting the adjustment value. Thus, Debrus fails to teach or suggest the claimed guide portion configured to protrude from a surface of the touch sensor and to fringe the surface with a line configured by one of a plurality of concave portions and a plurality of convex portions as a whole.

Applicant presented similar traversal arguments in the response filed on February 23, 2007. In response to Applicant's previous traversal arguments, the Examiner withdrew an earlier rejection based on the alleged combination of Stephan and Debrus (see Office Action dated May 3, 2007).

Moreover, the alleged combination of references fails to teach or suggest, *"a controller configured to control each of a plurality of adjustment values in accordance with a direction of a slide operation along a corresponding concave portion or convex portion of said guide portion from a corresponding fixed reference position"* (emphasis added by Applicant), as recited in exemplary claim 1 and somewhat similarly recited in exemplary claims 11 and 20.

Debrus discloses a plurality of concave portions 13-20 or 21-31. Applicant submits, however, that each of the concave portions corresponds to an ON/OFF switch. It is unreasonable to apply the sliding operation of Stephan to the ON/OFF configuration of Debrus.

Serial No. 10/664,080 14

Furthermore, even assuming, *arguendo*, that one of ordinary skill in the art would have combined Debrus and Stephan, based on the Examiner's alleged rationale (and motivation) for combining the applied references (see Office Action dated January 5, 2010 at page 5), it would be reasonable that one adjustment value is controlled by a sliding operation along the entire group of switches 21-31 of Debrus.

Thus, the alleged combination of references fails to teach or suggest a controller configured to control each of a plurality of adjustment values in accordance with a direction of a slide operation along a corresponding concave portion or convex portion of the guide portion from a corresponding fixed reference position.

Therefore, Applicant submits that, even if combined, the alleged combination of references does not teach or suggest each and every feature of the claimed invention. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

B. The Secondary References

The Examiner alleges that one of ordinary skill in the art would have combined Stephan with Debrus, Rowe, and Vanderheiden to teach the claimed invention of claims 5 and 8-10. Furthermore, the Examiner alleges that one of ordinary skill in the art would have combined Stephan with Debrus, Rowe, and Vanderheiden 2 to teach the claimed invention of claims 12, 13, and 26. Furthermore, the Examiner alleges that one of ordinary skill in the art would have combined Stephan with Debrus, Rowe, and Serravalle, Jr. to teach the claimed invention of claims 17-19. Finally, the Examiner alleges that one of ordinary skill in the art would have combined Stephan with Debrus, Rowe, and Takahashi to teach the claimed invention of claims 21-24.

Serial No. 10/664,080 15

Applicant submits, however, that claims 5, 8-10, 12, 13, 17-19, 21-24, and 26 are allowable at least based on similar reasons to those set forth above, in section A, with respect to claims 1-4, 6, 7, 11, 14-16, 20, and 25.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw these rejections.

III. FORMAL MATTERS AND CONCLUSIONS

In view of the foregoing, Applicant submits that claims 1-26, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. Applicant respectfully requests the Examiner to pass the above application to issue at the earliest possible time.

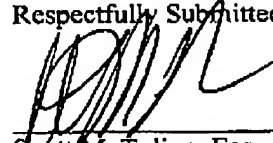
Should the Examiner find the application to be other than in condition for allowance, Applicant requests the Examiner to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Serial No. 10/664,080 16

The undersigned authorizes the Commissioner to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: April 1, 2010

Respectfully Submitted,



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

FACSIMILE TRANSMISSION

I hereby certify that I am filing this paper via facsimile, to Group Art Unit 2629, at (571) 273-8300, on April 1, 2010.

Date: April 1, 2010

Respectfully Submitted,



Scott M. Tulino, Esq.
Reg. No. 48,317

Sean M. McGinn, Esq.
Reg. No. 34,386